

FW: Laetitia correspondence

Annette Ramirez

Mon 8/22/2016 2:26 PM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

4 attachments (7 MB)

Grietens_8-20-16.pdf; RRM_8-22-16_A.pdf; RRM_8-22-16.pdf; Richards_8-20-16.pdf;

From: Brian Pedrotti

Sent: Monday, August 22, 2016 1:08 PM

To: Annette Ramirez <aramirez@co.slo.ca.us>

Subject: Laetitia correspondence

Annette-

Please see additional correspondence for the Laetitia item tomorrow. Thanks, Brian.

Tina P. Grietens

Nipomo, CA 93444

August 20, 2016

Brian Pedrotti, Project Manager
County Planning Department
County Government Center, Room 300

San Luis Obispo, CA 93408

Re: Laetitia Proposed Agricultural Cluster

Dear Mr. Pedrotti, Honorable Board Members:

I have resided in Upper Los Berros Canyon for nearly thirty years. I am opposed to the Laetitia Agricultural Cluster Subdivision, including removal of oak woodland habitat to create 102 one-acre home-sites, removal of historical farm buildings to make way for a clubhouse and the suggested future development of a Dude Ranch on the Laetitia property.

My greatest concerns are for the protection of life and property, as well as sustainability of the water supply for the environment, existing residents and farmers, and ensuring the safety of the residents traveling on the roads to and from our homes.

Traffic out of the one-way-in/one-way-out Upper Los Berros Canyon would be dangerously slowed down if there are hundreds more vehicles allowed to access the already congested one lane roads (Sheehy, Dana Foothill, Rim Rock Road, Upper Los Berros Road), leading into the canyon, from the Laetitia project. (see Sheets C-7 and C-8 of the Tentative Tract Map, revised 8/20/15).

The current fire activity (Chimney Fire) in the Lake Nacimiento area of northern San Luis Obispo County, should be taken into consideration when your Board evaluates the potential effect that this project will have on our lives and the protection of our homes in the event of a fire emergency.

If this project is approved, the safety of the existing residents will be threatened.

The California Highway Patrol and CalFire can verify the number of accidents that have occurred on the one lane roads that feed into Upper Los Berros Canyon, as a result of vehicles traveling dangerously. As a result of the many accidents, road closures have been necessary to facilitate emergency response vehicles and towing away of damaged vehicles. The route into the canyon includes Thompson, Sheehy, Dana Foothill, Rim Rock Road and Upper Los Berros Roads. These country roads are not designed to handle this increased heavy traffic. Adding an additional 1,000 vehicle trips per day will place all of the residents in our community at greater risk.

During the last fifteen of the thirty years we have owned property and resided in Upper Los Berros Canyon, the expanded vineyard activity has created increased traffic into and out of Upper Los Berros Canyon. This increased traffic has created concern over the safety of those who travel on the curvy

paved roads and the one lane gravel road we drive daily, to and from our homes in the Upper Los Berros Canyon. The traffic created by farm laborers, equipment and large delivery trucks has made the road very dangerous.

Historically and specifically prior to 2001, when the Maison Deutz Vineyard and Winery was purchased, and renamed Laetitia, the Los Berros Creek flowed year round. The decrease in the creek flow in the last several years has been obvious. Many of the wells of our neighbors to the west have gone dry and deeper wells have been drilled due to reduced output. Some of my neighbors in the Upper Los Berros Canyon have had to purchase water elsewhere during the last several years, due to reduced output and drying up of their wells. Many artesian wells in the Upper Los Berros Canyon watershed, which feed Los Berros Creek, have dried up or have reduced flow. Los Berros Creek flow is critical to recharging the aquifer which supplies Oceano (within the Northern Cities Management Area) with its water. The County of San Luis Obispo is responsible for ensuring the reliability of this water source. As you know, wells close to Los Berros Creek that Falcon Ridge (El Campo area) once used are not adequate, and other sources had to be implemented. Please pay particular attention to The Nipomo Mesa Management Area (NMMA) 7th Annual Report-Calendar Year 2014, "Findings (ES-2) and Recommendations (ES-3)".

The ecosystem is in danger due to Laetitia's increased pumping of ground water for its vineyards. Los Berros Creek has all but dried up. Los Berros Creek was once teeming with wildlife, including distressed species such as steelhead trout, southwestern pond turtles, coast range newt, and red legged frogs. The watershed of Los Berros Creek and downstream tributaries must be protected from pollution. This insensitive disregard to the ecosystem is a great danger to our environment.

The Santa Lucia Chapter of the Sierra Club in its letter to San Luis Obispo County has stated, *"The real possibility that the expansion of irrigated ag has resulted in the dewatering of Los Berros Creek, as evidenced by substantially less flow, demonstrates that **there is no "excess water" for residential use and the project represents a violation of Ag Policy11 and the Ag Cluster ordinance**"*.

The California Department of Fish and Game has stated in their letter to San Luis Obispo County that *"The Department **strongly discourages approving projects** which would reduce Los Berros Creek flows"*.

The fractured shale rock formations in the Nipomo Hills, which provide our water for our homes and farms is noted for being a very unpredictable and unreliable source of water. Fractured shale does not store water, as does a sandy aquifer, such as that found on the Nipomo Mesa. Laetitia's owners cannot guarantee that it is a reliable water source. Peer review of Laetitia's estimate, by noted hydrogeologists offer documentation that it is not a reliable water source. The hydrogeology company Geosyntec states in their 2011 letter, *"This indicates that the long term capacities of the fractured bedrock aquifers to transmit groundwater are **lower than previously estimated** and sustainable production potential of the Project Site wells based on the short term tests were **unrealistically high**. Initial yields from wells in fractured bedrock aquifers often are not representative of longer term yields, which are typically lower."* Cleath and Associates (the hydrogeology company hired by Laetitia) proposes to utilize water in storage within the fractured shale as a component of "safe yield". Two of the peer reviews indicate that this is a **violation of CEQA and should not be allowed**. Fractured shale does not typically "store water." The Fugro hydrogeology report states that *"It should be noted also that the annual recharge estimates provided by Cleath are **misleading** in that they imply a component of available aquifer storage as recharge during a critical drought. The volume of **groundwater in storage is very small** given the limited extent of available water in the bedrock aquifers and that the amount cannot be used as a component of sustainable supply"*.

Laetitia vineyard operations have already affected nearby wells. Much of the Laetitia well testing, performed by Laetitia's consultants, was done during a relatively wet year. It is presumed that their studies would have been substantially different if performed during dryer years, which is the norm for the area of Nipomo. Many vacant properties south of the Laetitia have been approved for building. Most of them have approval for two home sites. These home sites will be obtaining their water from the same fractured shale that Laetitia is proposing to use for the Ag Cluster Subdivision. There will not be enough water to go around for all of the homes that have already received approval if this project is approved.

Allowing the approval of Laetitia Agricultural Cluster Subdivision Project and future Dude Ranch will only aggravate an already dire water situation, dangerous traffic situation and wildland fire danger. The estimates of water use for the proposed housing project provided by Laetitia's consultants are lower than hydrogeological peer review experts have concluded. Laetitia continually reduces the estimated amount of water that the housing project will use. The expanded vineyard operations have already decreased the water availability in existing wells in an area of unreliable water supply. There are no proposed retention basins to protect the watershed by capturing runoff from the vineyard or the proposed project. There is no reliable water source for additional homes in this area. Both the Nipomo Mesa (NMMA) and Northern Cities (CMA) management areas have been adversely affected by extreme drought conditions. Laetitia's proposed withdrawal of 20% to 25% more water is absurd. The traffic congestion from the vineyard operations has caused overuse of our narrow curving roads, presenting a dangerous safety issue for existing residents of the Sheehy, Dana Foothill, Rim Rock Road and Upper Los Berros Road.

Safe evacuations of the residents during a fire emergency may be impossible if the roads are impacted with additional traffic. Allowing an additional 1,000 vehicle trips per day is insane!

It is a matter of public record how many San Luis Obispo County and State employee hours and resources have been utilized in the preparation for and attendance of the numerous planning meetings leading up to the **Denial** of the Project by the County Planning Commission. Your Honorable Board of Supervisors must take into consideration, the exhaustive efforts of these hard working employees and the time and effort of the residents of the County which you represent, when you review this project.

Please do not approve the proposed Laetitia Agricultural Cluster Subdivision or future Dude Ranch project.

Respectfully,

Tina Grietens

Nipomo, CA 93444

Property address: (in Upper Los Berros Canyon)



August 22, 2016

Transmitted via email: jbrennan@co.slo.ca.us

Supervisor Lynn Compton, Chairwoman
Board of Supervisors
4th District, San Luis Obispo County

San Luis Obispo, CA 93408

RE: Request for Continuance of Public Hearing on Appeal of Laetitia Ag Cluster Project

Dear Chairwoman Compton,

The applicant/appellant for the Laetitia Ag Cluster Project scheduled for a Public Hearing of an appeal to the Board of Supervisors scheduled for August 23, 2016, herewith requests that the item be continued.

Reasons for this request are based upon the following concerns:

1. Due to efforts to combat the Chimney Fire, representatives of the County Fire Department may not be able to attend.
2. Due to the rapid spread of the fire and its immediate threat to lives, homes, and other property, the Supervisor for the Nacimiento area understandably has pressing duties serving constituents in the areas threatened by the fire.

Thank you for considering this request.

Sincerely,

RRM DESIGN GROUP

A handwritten signature in black ink, appearing to read 'Victor Montgomery', written over a large, stylized circular flourish.

Victor Montgomery
Applicant's Representative

cc: Dan Buckshi, County Administrative Officer, San Luis Obispo County

jmw\\slofiles-sr\\on-site\\2003\\1403034 Laetitia Ag Cluster\\Project Management\\Correspondence\\Board of Supervisors\\vm-Laetitia-Request-to-Continue-08-22-16-Admin.docx

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a California corporation • Lenny Grant, Architect C26973 • Meeting Date: August 23, 2016 • 4th District, San Luis Obispo County, LA 2844

Presented By: Victor Montgomery

Rcv'd prior to the meeting & posted on the web: August 22, 2016

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Laetitia's proposed development.

LR

Linda Richards <r-rlaw@sbcglobal.net>

Today 11:40 AM

Brian Pedrotti 


 Reply | 

Inbox

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Action Items



Dear Mr. Pedrotti:

My husband, Dave, and I live on property directly above Laetitia's south vineyard which faces Highway 101. As we have previously written to you, our property will be directly and adversely impacted in many ways if Laetitia's proposed development is approved.

Water is a more critical concern than ever. Our well and other wells in our neighborhood are going dry. Many of our neighbors were recently without water for six days! Although Laetitia claims to have adequate water for its project, within the past six months they have drilled two new wells on the portion of their property we can see from our backyard. The question seems obvious: if they have adequate water why are they drilling more wells?

In addition to water and traffic, one of our main concerns is that the proposed waste water treatment plant will be, literally, right outside our back door. Laetitia's proposal includes a plan to remove grape vines from the south vineyard adjacent to Highway 101 to build two affluent ponds.

We were very pleased that the Planning Commission agreed with your Department and rejected Laetitia's proposed development. We understand that the rejection has been appealed to the Board of supervisors and plan to attend the hearing tomorrow to again voice our concerns.

Despite the current status of the development having been rejected, it appears that Laetitia may be beginning work on the ponds anyway. On June 29, 2016 I was surprised to see that the vines in a large piece of the vineyard in what appears to be the location for one of the proposed ponds were being ripped out. I stopped at the truck stop on the 101 and snapped the first photo which is attached to this e-mail showing the dead vines lying in piles on the ground.

On July 11, 2016, I took the second and third photos attached to this e-mail from Rim Rock Road near Broken Arrow Road. These photos show that not only have many vines been removed, a large road was cleared leading to the location of the removed vines.

In view of the current status of the project, is it appropriate for this work to be performed at this time? Especially given the recent emergency ordinance which was passed regarding agricultural ponds, I felt it appropriate to send this information to you for your consideration.

Once again, thank you for all the hard work you and your staff have devoted to this project.

Very truly yours,

Linda J. Richards

Agenda No. 21
 Meeting Date: August 23, 2016
 Presented By: Linda Richards

Rcv'd prior to the meeting & posted on the web: August 22, 2016

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Photo of drilling rig on Laetitia's property in February, 2016

L

Linda <r-rlaw@sbcglobal.net>

Today 11:43 AM

Brian Pedrotti



ATT00001.txt

312 bytes

2 attachments (251 KB) Download all

This photo was inadvertently omitted from my prior email. A second well was drilled nearby last month.
Thank you for your time.
Very truly yours,
Linda Richards